

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of
HAIG & HAIG DRUG, INC.
Pharmacy Registration No. 2521

Docket No. PHA-2009-0093

VOLUNTARY SURRENDER AGREEMENT

The Board of Registration in Pharmacy (Board) and **HAIG & HAIG DRUG, INC.** (Registrant), located at 550 W. Boylston St. in Worcester, Massachusetts (Pharmacy Registration No. 2521; Kenneth M. Haig, R.Ph., Manager of Record), do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the file of the Pharmacy that is maintained by the Board:

1. The parties enter into this Consent Agreement (Agreement) relating to matters pending before the Board as Docket No. PHA-2009-0093 (Complaint) concerning practices and conditions occurring at the Pharmacy, including results and observations during a Board inspection of the Pharmacy on October 21, 2009.
2. Registrant is currently owner and manager of record of the Pharmacy and was owner and manager of record of the Pharmacy at all times relevant to the Complaint.
3. Registrant acknowledges and agrees to **surrender** Pharmacy Registration No. 2521 to the Board effective as of the date of execution of this Agreement.
4. The Agreement and its contents shall be incorporated into the records maintained by the Board. The Agreement is a public record subject to disclosure to the public and equivalent state licensing boards.
5. The Board agrees that in return for Registrant's execution of this Agreement, the Board will not initiate proceedings pursuant to G.L. c. 94C, s. 14 and G.L. c. 112, s. 40; any and all other rights of the Board to take action within the scope of its authority are expressly reserved.
6. Registrant understands and agrees that the decision to enter into this Agreement is a final act and is not subject to reconsideration or judicial review.

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7. Registrant states that legal counsel has been consulted in connection with the execution of this Agreement or, if not, that an opportunity was provided to do so.
8. Registrant understands that, by executing this Agreement, Registrant is waiving the right to a formal hearing at which Registrant would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on Registrant's behalf, to contest the allegations, to present oral argument, to appeal to court in the event of an adverse ruling, and all other rights set forth in G.L. c. 30A and 801 CMR 1.01 *et seq.* Registrant understands that in executing this document entitled "Voluntary Surrender Agreement", Registrant is knowingly and voluntarily waiving the right to a formal hearing and to all of the above listed rights.

Jean M. Haig
Witness (sign name)

JEAN M. HAIG
Witness (print name)

HAIG & HAIG DRUG INC

By: David D. Haig, Jr.
David D. Haig, Jr.

Date: October 21, 2009

BOARD OF REGISTRATION
IN PHARMACY

By: James T. DeVita
James T. DeVita, R.Ph.
President

Date: October 21, 2009

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
HAIG AND HAIG DRUG INC)
550 West Boylston Street)
Worcester, Massachusetts 01606)
MA Pharmacy Reg. No. DS2521)

Docket No. PHA-2009-0093

**CEASE AND DESIST NOTICE
EMBARGO ORDER**

By authority of the Department of Public Health, through the Board of Registration in Pharmacy (Board) and the Division of Food and Drugs, pursuant to M.G.L. c. 94C, §§ 13 and 189A and M.G.L. c. 112, §§ 30 and 42A, related to pharmacy practices and conditions at **HAIG AND HAIG DRUG INC** (Pharmacy Registration No. DS2521), located at 550 West Boylston Street, in Worcester, Massachusetts (Pharmacy) which were observed to be non-compliant with state and federal statutes and regulations pertaining to the practice of pharmacy in the Commonwealth, including but not limited to, M.G.L. c. 112, s. 39 and 247 CMR 2.00 *et seq*, **the Pharmacy is hereby notified to IMMEDIATELY close to the public and to CEASE AND DESIST providing pharmacy all services, except for the orderly transfer of patient prescription orders (not prescription medications) for filling at other pharmacies.** The Pharmacy shall conduct an orderly transition of patient care and pharmacy related services.

Effective as of receipt of this Cease and Desist Notice and Embargo Order, all articles of **drugs on Pharmacy premises are subject to an EMBARGO ORDER.** Pursuant to the Embargo Order, NO disposition may be made of ANY controlled substance (Schedules II through VI), without the express approval of the Department of Public Health or the conclusion of legal proceedings. Whoever removes or disposes of the above-described articles without permission from the Department of Public Health Drug Control Program shall be subject to applicable statutory and regulatory penalties

Direct questions to Nancy O'Leary, Group Supervisor, Drug Control Program at 617 983 6738 or James D. Coffey, Director, Board of Registration in Pharmacy 617 973 0950.

Jean M. Haig
Acknowledgement
of receipt by Pharmacy

Date: 10/21/09
Time: 1320

Jean K. Ponder
Agent of the Commissioner of Public Health
Date: October 21, 2009

JEAN M. HAIG
Print Name